



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/743,702	01/16/2001	James Douglas Pettifor	36-1399	7602
7590	06/03/2005		EXAMINER	
Nixon & Vanderhye 8th Floor 1100 North Glebe Road Arlington, VA 22201-4714			AL AUBAIDI, RASHA S	
			ART UNIT	PAPER NUMBER
			2642	

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/743,702

Applicant(s)

PETTIFOR ET AL.

Examiner

Rasha S. AL-Aubaidi

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-2 and 4-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2 and 4-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on December 27, 2004 has been entered. Claims 1-2 and 5-13 have been amended. Claim 3 has been canceled. No claims have been added. Claims 1-2 and 4-13 are still pending in this application, with claims 1, 8, 12, and 13 being independent.

Claim Rejections - 35 USC § 112

2. Claims 1-2, and 4-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitations of "recording the occurrence" and "the predetermined event has not been recorded". It is unclear whether the event itself or the occurrence of the event (indication) is being recorded.

Claims 8 and 12-13 are rejected for the same reasons as discussed above with respect to claim 1.

Dependent claims 2, 4-7 and 9-11 are rejected for the same reasons as discussed with respect to independent claims 1, 8 and, 12-13.

Claim Rejections - 35 USC § 103

3. Claims 1-2 and 4-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeda.

Regarding claim 1, Takeda teaches a telephone-switching center (reads on switching system 3 in Fig. 2) coupled to a subscriber line (16 in Fig. 2) and an enhanced service apparatus (reads on SCF server 4 within SCP 1, see Fig. 1), the switching center having event detection means (reads on calling detection 14 within switching system 3, see Fig. 2) for recording the occurrence of a predetermined event associated with the subscriber line, and call processing means (reads on basic call processing part 13 within switching system 3, see Fig. 2) responsive to an attempt to establish or terminate a call connection via the subscriber line to selectively either: notify the enhanced service processing apparatus of that attempt when an occurrence of the predetermined event has been recorded by the event detection means (see col. 6, lines 14-30 and lines 39-44), receiving a switching control commands (see col. 7, lines 5-27) to establish or terminate said call (terminating the call reads on step 89 in Fig. 8, see col. 7, lines 28-30), wherein the switching control commands are sent by the enhanced service processing apparatus (SCF 4 within SCP 1) in response to the notification, or establish or terminate said call connection without notifying the enhanced service apparatus (this basically reads on connection calls such as 1-800 toll free numbers, see also, col. 4, lines 39-50), when an occurrence of the predetermined event has not been recorded by the event detection means.

Takeda does not specifically teach the feature of "recording the occurrence". However the claimed "recording" may simply read on "recording all calls (those that

require notification and those that do not) for billing purposes. The broadly claimed feature of "recording" also reads on the memory in the switch, which has lists of call types (those that require "IN calls" and those that do not). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the feature of recording "billing" information. For example, a non-IN call may be free and an IN call may result in "recording" charges for billing the customer.

Claims 8 and 12-13 are rejected for the same reasons as discussed above with respect to claim 1. Also, the claimed feature of "one or more predetermined events" reads on one or more call attempts. The claimed feature of "performing a selection of one of the following processing" is obvious. This may read for example on detecting the dialing of a 1-800 number at the SSP.

Regarding claim 2, the processing means including a flag means, which is responsive to notification of said predetermined event (this basically reads on the armed trigger, see col. 5, lines 9-20 and col.6, lines 14-23).

Claim 4 is rejected for the same reasons as discussed above with respect to claim 1. Also, the flag reads on the armed trigger that is associated with the predetermined event of a called party in the event of a busy or no answer situation (see abstract, also col.11, lines 9-21).

Regarding claim 5, the enhanced service processing apparatus has means to control the switching center in dependence on said flag state information (see col. 12, lines 16-23).

Claim 6 reads on the event of activating the armed trigger in the case of reaching called party voice mail system because of a no answer or busy situation at the called party terminal (see col.11, lines 8-20).

Regarding claim 7, Takeda does not specifically teach a call charging system that charges the subscriber line in the event of exceeding a threshold value. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add a charging means in Takeda system in order to charge the subscriber when, for example, he/she exceeds a threshold such as certain number of calls allowed with the service (e.g., certain number of "free" calls).

Claim 9 is rejected for the same reasons as discussed above with respect to claim 6. Also, the claimed feature of "one or more predetermined events" reads on one or more stored voice mail.

Claim 10 basically recites that each time a user makes a call that will be counted in the parameter at the user terminal. Obviously if there is a limit on how many phone

calls a user can make each time a phone call will be placed, a trigger will be armed when it reaches the threshold value.

Claim 11 basically recites that there is no further notification message will be sent to the SCP until another event is detected. This is obvious, since a message will be sent when another call is detected.

Response to Arguments

4. Applicant's arguments have been fully considered but they are not persuasive.

Applicant argues that Takeda fails to teach or suggest the limitation: "notify the enhanced service processing apparatus of that attempt". As previously explained by the examiner, on col. 6, lines 14-43 and specifically on line 39-43, Takeda teaches "when a trigger kind is of the N type, the notification message is sent to the SCP 1 (step 68). Takeda clearly teaches notifying the SCP of the type of call received in order to find the appropriate treatment for that call. Since Takeda teaches the processing of an IN calls, then, notification will be an inherent part between the switching system and the SCP.

Also, applicant argues that Takeda fails to teach or suggest "the recordal of previously occurring events". The switching system 3 as shown in Fig. 2, discloses memory 12 which is made up of two elements: call processing routine 13 and an area 14 for storing other control programs (i.e., call detection). Call processing 13 stores an

IN call management table for each call. Recording of the call at the time of detecting that call at the switching system and storing the call in a memory would have been obvious. Note that Takeda teaches a plurality of memories. The second memory means is exclusively for storing a plurality of records for the service control (see col. 3, lines 1-5).

All other arguments are addressed in the above rejection.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (571) 272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar, can be reached on (571) 272-7488.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner
Rasha S. Al-Aubaidi
Art Unit 2642
05/19/2005


AHMAD F. MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2700